

REMARKS

This preliminary amendment is being filed in addition to the response which was filed on June 4, 2002 in order to bring further clarity to the claims. No new matter has been added by the amendments to the claims.

In accordance with 37 C.F.R. §1.121, applicants have provided (1) accurate instructions to amend the claims, (2) replacement claims in clean form herein, and (3) another version of the amended claims marked up to show all the changes relative to the previous version of the claims, which appears on an attached page.

VIII. CONCLUSION

In view of the amendments to the claims and the remarks herein, Applicants maintain that the Claims are now in condition for allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,


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MARKED UP VERSION OF TECHNICAL AMENDMENTS

IN THE CLAIMS

Please rewrite the claims as follows:

21. (Twice Amended) A method of obtaining a first-generation transgenic plant comprising:

- (a) transforming a plant cell with the expression vector according to claim 11 to obtain a transformed plant cell; and
- (b) regenerating the transformed plant cell to obtain a transgenic plant.

31. (Twice Amended) A vector comprising the nucleic acid construct according to claim 29 or 30.

32. (Twice Amended) A method of transforming a plant cell or of obtaining a plant cell culture or transgenic plant, the method comprising:

- (a) providing an untransformed plant cell which is susceptible to a herbicide whose herbicidal activity is reduced by a dimeric protein comprising two GST subunits;
 - (b) transforming the plant cell with the vector according to claim [29] 31;
 - (c) cultivating the transformed cell under conditions that allow the expression of the polynucleotide encoding a GST subunit to provide a polypeptide comprising a GST subunit, wherein the polypeptide comprising the GST subunit can form a dimer with another GST subunit; and/or
- (c') regenerating the cell to give a cell culture or plant such that the polynucleotide is expressed to provide a polypeptide comprising a GST subunit, wherein the polypeptide comprising the GST subunit can form a dimer with another GST subunit;

(d) contacting the cell, cell culture or plant with the herbicide whose herbicidal activity is reduced by the dimeric protein, and to which the untransformed plant cell was susceptible, and

(e) selecting cells, cell cultures or plants that are less susceptible to the herbicide than are corresponding untransformed cells, cell cultures or plants.

78. (Amended) A plant seed or progeny plant produced by the a method according to claim 22 or 23.